

Doc Code: PET.PTA.RCAL

Document Description: Request for Recalculation in view of Wyeth

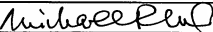
PTO/SB/131 (01-10)

Approved for use through 02/28/2011 OMB 0651-0020
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR RECALCULATION OF PATENT TERM ADJUSTMENT IN VIEW OF WYETH*

Attorney Docket Number:	506612000103	Patent Number:	7,604,936
Filing Date (or 371(b) or (f) Date):	April 24, 2003	Issue Date:	October 20, 2009
First Named Inventor:	Jay WOHLGEMUTH		
Title:	METHODS AND COMPOSITIONS FOR DIAGNOSING AND MONITORING AUTO IMMUNE AND CHRONIC INFLAMMATORY DISEASES		
<p>PATENTEE HEREBY REQUESTS RECALCULATION OF THE PATENT TERM ADJUSTMENT (PTA) UNDER 35 USC 154(b) INDICATED ON THE ABOVE-IDENTIFIED PATENT. THE PATENTEE'S SOLE BASIS FOR REQUESTING THE RECALCULATION IS THE USPTO'S PRE-WYETH INTERPRETATION OF 35 U.S.C. 154(b)(2)(A).</p> <p>Note: This form is only for requesting a recalculation of PTA for patents issued before March 2, 2010, if the sole basis for requesting the recalculation is the USPTO's pre-Wyeth interpretation of 35 U.S.C. 154(b)(2)(A). See Instruction Sheet on page 2 for more information.</p> <p>Patentees are reminded that to preserve the right to review in the United States District Court for the District of Columbia of the USPTO's patent term adjustment determination, a patentee must ensure that he or she also takes the steps required under 35 U.S.C. 154(b)(3) and (b)(4) and 37 CFR 1.705 in a timely manner.</p> <p>*Wyeth v. Kappos, No. 2009-1120 (Fed. Cir., Jan. 7, 2010).</p>			

Signature		Date	March 5, 2010
Name (Print/Typed)	Michael R. Ward	Registration Number	38,651
<p>Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms if more than one signature, see below*</p>			
<p><input checked="" type="checkbox"/> *Total of <u>1</u> forms are submitted.</p>			